

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ERIC V. PAPENFUS,

Plaintiff,

v.

CAROLYN W. COLVIN, Commissioner of  
Social Security,

Defendant.

Case No. C14-895 MJP-BAT

**REPORT AND  
RECOMMENDATION**

The parties have filed a stipulated motion to remand this case for further administrative proceedings, under sentence four of 42 U.S.C. § 405(g). Dkt. 20. Having reviewed the record, the undersigned recommends the Court GRANT the motion and ORDER:

The case be remanded under sentence four of 42 U.S.C. § 405(g) for a *de novo* hearing before the Commissioner. Upon remand, the Administrative Law Judge will further consider whether the claimant has an impairment or combination of impairments that meets or equals a listed impairment; and obtain supplemental vocational expert testimony to assist in determining what impact if any the claimant's impairments would have on his ability to perform work related activities at steps four and five of the sequential evaluation process. Plaintiff is entitled to reasonable attorney fees and costs pursuant to 28 U.S.C. § 2412, upon proper request to this

1 Court. Because the parties stipulate to remanding the case as noted above, the Court  
2 recommends that this Report and Recommendation be adopted immediately. A proposed  
3 judgment and order are attached to this Report and Recommendation.

4 DATED this 25<sup>th</sup> day of November, 2014.

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7 BRIAN A. TSUCHIDA  
8 United States Magistrate Judge  
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